

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BRYANT WESLEY KEEBLE,

Petitioner,

Case No. 3:05-cv-167

-vs-

District Judge Walter Herbert Rice
Chief Magistrate Judge Michael R. Merz

UNITED STATES OF AMERICA,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #23), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on June 2, 2005, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this case be dismissed with prejudice and Petitioner is denied a certificate of appealability and leave to appeal *in forma pauperis*.

July 8, 2005.



Walter Herbert Rice
United States District Judge